

County Commission Meeting of August 27, 2008
Amendment Proposed by Division of Public Works to:

AN ORDINANCE TO AMEND THE SHELBY COUNTY CODE OF ORDINANCES, CHAPTER 2, ARTICLE II, SECTION 2-57 RELATIVE TO THE PURCHASE, SALE OR EXCHANGE OF MATERIALS, SUPPLIES, COMMODITIES, EQUIPMENT AND REAL ESTATE FROM, TO OR WITH ANY FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITY. SPONSORED BY COMMISSIONER JOE FORD. [THIRD READING]

- I. If the current language of proposed ordinance amendment is approved, Section 2-57(b)(10)(b) will read as follows:

The county may purchase, sell or exchange materials, supplies, commodities, equipment and real estate from, to or with any federal, state or local government or office without conforming with the competitive bidding requirements of this section, provided the sale, purchase or exchange is based upon the fair market value of such sales to, purchases from or exchanges with other such governmental entities. Nothing herein shall prohibit the transfer of such property to a local governmental entity by donation for educational purposes, provided, however, that such governmental entity is in compliance, or becomes compliant prior to acceptance of any such donation, with all antidiscrimination laws, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964; or the transfer of any right, title or interest in real and/or personal property by donation to a federal, Tennessee state, or local governmental entity for any public purpose found by Shelby County Government to be directly or indirectly beneficial to the citizens of Shelby County, including, but not limited to, public infrastructure improvements.

- II. The Division of Public Works proposes to change the amendment to Section 2-57(b)(10)(b) above by deleting the proposed additional language at the end of the second sentence and by adding the following new sentence between the first and third sentences:

The county may also donate such property to any federal, state or local government or office, provided the donation is for a public purpose found by Shelby County Government to be directly or indirectly beneficial to the citizens of Shelby County.

- III. If the proposed substitute language is adopted, Section 2-57(b)(10)(b) will read as follows:

The county may purchase, sell or exchange materials, supplies, commodities, equipment and real estate from, to or with any federal, state or local government or office without conforming with the competitive bidding requirements of this section, provided the sale, purchase or exchange is based upon the fair market value of such sales to, purchases from or exchanges with other such governmental entities. The county may also donate such property to any federal, Tennessee state or local governmental entity, provided the donation is for a public purpose found by Shelby County Government to be directly or indirectly beneficial to the citizens of Shelby County. Nothing herein shall prohibit the transfer of such property to a local governmental entity by donation for educational purposes, provided, however, that such governmental entity is in compliance, or becomes compliant prior to acceptance of any such donation, with all antidiscrimination laws, including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964.